

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

JAMES LIPSCOMB & SONS, INC.,)
)
Plaintiff,)
)
v.) Civil Action No.: 04-450-BH-C
)
NITRAGIN, INC., et al.,)
)
Defendants.)

ORDER

The parties in this case have informed the Court that they have reached a settlement. It is therefore **ORDERED** that this case be **DISMISSED** from the active docket of this Court, with prejudice, **PROVIDED** that either party may reinstate the case within thirty (30) days from the entry of this order if the settlement is not consummated. No other order shall be forthcoming from the Court except upon application by either party for final judgement as prescribed by Rule 58 of the Rules of Civil Procedure. Each party shall bear their own costs unless otherwise agreed upon by the parties.

SO ORDERED this 11th day of May, 2005.

CLERK IS ORDERED TO CLOSE THE CASE.

s/ W.B. Hand
SENIOR DISTRICT JUDGE